

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

August 7, 2002

A. CALL TO ORDER

The August 7, 2002, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Commander John Magness of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Gerald Clifton-----District 3
Supervisor John Caldwell---District 4---Absent
Supervisor Tommy Lewis-----District 5
W. E. Sluggo Davis-----Chancery Clerk
Sheriff James Albert Riley-----Sheriff
David Armstrong-----County Administrator
Bobby Chamberlin-----Board Attorney

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PLANNING COMMISSION

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission. ****See Exhibit D****

Merritt Powell said it is time for the Road Register and Road Map update to be done. Mr. Powell said the map that Jim McDougal gave the Supervisors on Monday, August 5, 2002, was for them to see if they have any changes that need to be made. Supervisor Tommy Lewis asked if the maps could be blown up. Mr. Powell said they are work on doing this. Supervisor Lewis said that Clark Road was on the register, but not on the map. Supervisor Lewis said that the way that Anderson Road and Laughter Road run on the map is not correct. Mr. Powell said this is what they need to know to make corrections. Mr. Powell said Jim McDougal would be working on this project and that they plan to meet with Russell Dorris to get any information he has that should be included.

E. OLD BUSINESS

1. Approval of Recording of Mother-In-Law Wing

This item was handled in the Planning Commission minutes. **** See Exhibit D****

ITEM E, CONTINUED,

2. Adoption of Hazards Mitigation Plan

T. H. Walker, Director of Emergency Management, said he had submitted to the Board a copy of the Natural Hazards Mitigation Plan for them to take under advisement for the adoption of this plan. County Administrator David Armstrong said this program was formed by the State and the County would not be eligible for any Federal MEMA funds unless the County has a plan in place. Supervisor Eugene Thach asked if this is a plan that has been passed down by the State. Mr. Walker said the plan was mandated by the Federal Government for State level and then passed down to County level. Supervisor Thach asked if the Cities have to adopt this plan also. Mr. Walker said he would be presenting the plan to the Cities for adoption and would be discussing having a joint plan with the County, which might require an interlocal agreement. Mr. Walker said he would present the plan according to the Board’s direction.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve adoption of the DeSoto County Natural Hazards Mitigation Plan, based on the recommendations of the County Emergency Management Director T. H. Walker. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit E.2****

3. Approval of Tax Appeal Form

County Administrator David Armstrong said the Tax Assessor’s office presented a form to be used by the County to send to people who have a tax appeal. Mr. Armstrong said the form requires information that is necessary for the Tax Assessor’s office for evaluation of any appeal. Chancery Clerk Sluggo Davis said the Board would have to adopt the form as a County Form for him to send out when he receives notice on an appeal request.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the reinstatement of a DeSoto County Tax Appeal Form to be issued by the Chancery Clerk’s office to anyone who requests a tax appeal. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit E.3****

F. NEW BUISINESS

1. Jail Inspection

The Board does hereby find that, pursuant to Section 19-5-1 of the Mississippi Code Annotated, that periodic examinations into the state and condition of the DeSoto County Jail in regards to its safety, sufficiency and accommodation of the prisoners is required. Pursuant to Section 19-5-1, the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine the jail for said compliance. The DeSoto County Board of

ITEM F.1, CONTINUED,

Supervisors has a policy of attempting to inspect the DeSoto County Jail on a monthly basis and a requirement that the DeSoto County Jail be inspected as often as is mandated by Mississippi statute, State and/or Federal law. By direction of the DeSoto County Board of Supervisors, the following persons were directed, pursuant to Section 19-5-1, to perform the required examination into the state and condition of the jail and to report back to the DeSoto County Board of Supervisors:

Supervisor Eugene Thach
Supervisor Gerald Clifton

The DeSoto County Board of Supervisors does hereby find that the above named committee has reported back to the DeSoto County Board of Supervisors. That they have examined the DeSoto County Jail regarding its state and condition in regard to its safety, sufficiency and accommodation of the prisoners, and does find the jail to be in compliance and requiring no further action at this time.

The Board of Supervisors discussed the inspection of the Jail on August 5th. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the observed condition of the jail and to state there was no overcrowding of the Jail, and do find the Jail to be in compliance and requiring no further action at this time. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

2. County Engineer's Monthly Report

County Engineer Andy Swims appeared before the Board of Supervisors to discuss the Engineer's Monthly Report. Mr. Swims went through the different projects on the list: road improvement projects, drainage issues, proposed subdivision or development reviews, bonds, etc., miscellaneous meetings and miscellaneous other projects, all of which are contained in attached exhibit F.2.

Andy Swims said he had looked at the Estates of Centerhill road to determine the elevation of the road requirement. Supervisor Eugene Thach said we could require their engineer to supply the data to the County. Andy Swims said he is working to have the subdivision ordinances handle the reviews on the roads in regards to elevations and flood control.

Andy Swims said most of the month of July was spent on subdivisions. Andy Swims said the Church Road and Pleasant Hill Road project would have the preliminary engineering done by the middle of August. The complete proposal with the intersection would be done once the preliminary engineering is complete. Supervisor Jessie Medlin said he hopes that Olive Branch would pay for the signal at this intersection.

Andy Swims said he would like for Daniel Murphy to do the survey work on Swinnea Road. He has checked with an agency about the survey and they were too high. Andy Swims said the County would have to wait a couple of months for Daniel Murphy to do this project due to his work load. Andy Swims said letters had been sent to the property owners regarding the right of way donation. One of the property owners said she would donate the right of way, if the County would move the road to the section line. Others have been willing to donate the right of way.

Andy Swims said he had been to Bridgetown to do the survey on the drainage lines.

This project would be worth investigating with a camera due to the section junctions
ITEM F.2, CONTINUED,

being under ground and that the potential line drainage area could be repaired, but the lines where the utilities are and where people have swimming pools and sheds would require some other method of repair besides replacement of the pipes. Supervisor Jessie Medlin asked if anyone had contacted the utilities. Andy Swims said many utilities have been marked by the utility companies and many different utilities run in the areas where the drainage pipes are including telephone, sanitary sewer, water, gas and cable TV. Supervisor Tommy Lewis asked what caused the sink holes, the storm drains or the sewer lines.

Supervisor Jessie Medlin asked if you seal the lines would this make the pipes be like a plastic line. David Armstrong said the sealer that is used on the pipes is guaranteed for 20 years. Supervisor Medlin said the County has to dig up roads and relay pipes and this method might be a better way for the County.

Supervisor Gerald Clifton said the south side of Nail Road was having sink holes. Andy Swims said these were concrete joints in this area and that he was meeting with the City of Horn Lake to see how to repair them.

David Armstrong said the work that was being done on West Street at the jail would need something to keep it from washing. Andy Swims said to put down some matting and then to seed or sod the area would keep it from washing. David Armstrong suggested for Andy Swims to get with Road Manager Russell Dorris to get this done.

Andy Swims said he was putting a letter together regarding the requirement for the developers of major subdivisions to present construction plans to the County prior to beginning construction. David Armstrong suggested the letter going to the engineers or making sure the developers get with their engineers.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the County Engineer's monthly report and to make it a part of the Board minutes and to approve the letter being sent to developers of major subdivisions. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit F.2****

3. Approval of Final Plans & go out for Bids on Aviation/Civil Defense Bldg.

Architect Marvin Johnson said he was requested to scale down the Civil Defense building when the cost came in too high. Mr. Johnson said he has reduced the paved area, improved the appearance of the building, reduced the office area space, put in 2 bathrooms and allowed for the minimum heat and light requirements. Mr. Johnson said that Mr. Walker has approved the plans. County Administrator David Armstrong said the County has talked about an expansion at Central Maintenance and asked would this still be able to be done. Mr. Johnson said yes. Supervisor Medlin asked if any of the other buildings would take space from the equipment storage at Central Maintenance. Mr. Johnson said he has located these buildings in the northeast corner and the only thing that is a problem is the treatment plant, which is not in good condition and should be replaced and then all buildings would be hooked together for sewage.

Supervisor Eugene Thach asked if the Sheriff still had money in his budget to put on this project. David Armstrong said he could not locate any money in the Sheriff's

budget for this project.

ITEM F.3, CONTINUED,

Marvin Johnson said it would be six weeks before going out for bid, and there are still some things that need to be looked at.

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the plans for the Civil Defense and Aviation Buildings and to go out for bid. The motion passed by a vote as follows:

Supervisor Jessie Medlin	NO
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit F.3****

Later in the meeting, Supervisor Eugene Thach said he was concerned with the money not being available to help with this project that would cost \$500,000. Supervisor Thach said he would like to change his vote to no so that research can be done for funds. Supervisor said the reason for his change was that they said they had money to use on the building and now they don't. Supervisor Tommy Lewis said he is concerned with the money not being available, but Aviation has to move and they have been promised a building.

Supervisor Eugene Thach made a motion to reconsider his vote. Supervisor Jessie Medlin seconded the motion. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	NO

Supervisor Jessie Medlin said Supervisor Gerald Clifton has returned as we were taking a vote and he deserves the courtesy of a vote. Supervisor Medlin explained the vote that was taken for a reconsideration of the original vote to go out for bid on the Civil Defense and Aviation Buildings.

Supervisor Gerald Clifton said he is willing for this project to be taken out of the contingency. We have pushed this project aside for years and if money is not there that was promised by the Sheriff's Department, we should still honor the commitment.

Supervisor Eugene Thach made the motion to reconsider the vote that was made to go out for bid on the Civil Defense and Aviation Buildings and put on hold for further study. Supervisor Jessie Medlin seconded the motion. The motion failed by a vote as follows:

Supervisor Jessie Medlin	NO
Supervisor Eugene Thach	NO
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

Board Attorney Tony Nowak said since the motion to reconsider the original vote was a split vote, the original vote of 3/1 would prevail.

ITEM F, CONTINUED,

4. Authorization for Board President to Sign Statewide Mutual Aid Compact

Civil Defense Director T. H. Walker addressed the Board of Supervisors requesting the approval of the Board for the Board President to sign the Statewide Mutual Aid Compact that they adopted on May 20, 2002.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the Statewide Mutual Aid Compact. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit F.4****

5. Approval of Preliminary & Final Disposition of Inventory – EMA

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code, did approve the final disposition of the item on the report, and did make it part of the Board minutes as follows:

<u>Property #</u>	<u>Description</u>	<u>Serial #</u>	<u>Reason for Disposal</u>	<u>Location of Item</u>
12263	Link Communications	190	Struck by Lightning	EMA-Sent to Vendor – trashed

The motion passed as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit F.5****

6. Approval of Final Disposition of Inventory

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code, did approve the final disposition of items on the reports, and did make them part of the Board minutes as follows:

<u>Property #</u>	<u>Description</u>	<u>Serial #</u>	<u>Reason for Disposal</u>	<u>Location of Item</u>
4043	Sharp Fax Machine	3727331y	Not working	Landfill
31035	HP1050Cdesignjet plotter	SG07633109	Traded in for new model plotter	Trade In
31138	Victor 1260 Calculator	059902458	Broken	Tax Collector –Hernando
30438	Epson LQ870 Printer	40U0059524	Duplicate tag 30521	Tax Collector –Hernando 30521
201	Victor Calculator	7019254	Broken	Landfill
30025	Ibico Calculator	50243884	Broken	Landfill
09031	Royal Typewriter	53287706	Broken	Landfill

10025	Smith Corona Typewriter	1118507	Broken	Landfill
ITEM F.6, CONTINUED				
154	Texas Instruments Calculator	532543	Broken	Landfill
264	Victor Calculator	12354923	Broken	Landfill
202	Texas Instruments Calculator	533261	Broken	BFI
208	Texas Instruments Calculator	115012	Broken	BFI
30535	Nokia Cell Phone	2530705993	Broken	BFI Dump
30867	Nokia Cell Phone	11015263832	Broken	BFI Dump
30173	Digital Mobile Phone	004183740	Upgraded	BFI Dump
1033	Radio Scanner		Obsolete	BFI Dump
4	Card Reader	7802200PR	Traded in for new equipment	ES&S
6001	Election Computer	7802200PR	Traded in for new equipment	ES&S
9036	Punch Card Counter	7706701PR	Traded in for new equipment	ES&S

The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit F.6****

7. Update on \$18M Bond & State Development Bank Revenue

County Administrator David Armstrong said the carry over that is not obligated on the \$18 million bond is \$1,994,327.02 and the carry over on the \$10 million State Development Bank Pool is \$272,953.61. David Armstrong said these figures do not include any funds left over from the Jail Addition or the Courthouse Renovation.

Supervisor Eugene Thach said the committed funds of \$696,000 for the Starlanding Overpass would change. David Armstrong said the Aviation Building is figured in at a cost of \$496,550 and the proposal cost presented today by Marvin Johnson for both buildings is \$563,167, so there will be an additional commitment from the bond.

Supervisor Jessie Medlin said the list does not show a commitment for McInvale or Getwell Road. David Armstrong said that these projects are starting at the beginning of the new budget year, so the commitment would start then. Supervisor Eugene Thach said that on the Church Road five lane project we have no money in the budget for this and the survey has already been done. Supervisor Medlin said Church Road East would be a \$600,000 additional commitment.

David Armstrong said the County has to make payment on the first \$10 million MSDBP in this budget year. No motions were made on this item.

8. Approval of Lease with Copy Plus for EMS

County Administrator David Armstrong said the EMS at Eudora is getting a new copier from Copyplus Inc., which the County uses for all copiers.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the lease on the EP-130 Minolta Copier, Serial #31888624, for the DeSoto County EMS at Eudora, for 35 months at \$70.00 per month. The motion passed by a vote as follows:

ITEM F.8, CONTINUED,

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

****See Exhibit F.8****

9. Approval of EPA Application for the Construction of Short Fork Creek Interceptor

Tracey Huffman, Engineer on the DCRUA project, appeared before the Board of Supervisors requesting approval for the Board President to sign the EPA application for Federal funds to be used in the construction of the Short Fork Creek Interceptor & Hernando Flow to Short Fork project segment of the Countywide wastewater system. Tracey Huffman said the Federal funds would be \$2,903,600 and the local funds for the project would be \$5,020,400, which is a total of \$7,924,000.

Supervisors Jessie Medlin asked if this was the original funding plan. Tracy Huffman said there are three plan phases for the funding; Plan A – Treatment Facility; Plan B- Camp Creek; Plan C- Short Fork Creek.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Board President to sign the EPA application for Federal funds to be used in the construction of the Short Fork Creek Interceptor & Hernando Flow to Short Fork project segment of the Countywide wastewater system. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**** See Exhibit F.9****

G. EXECUTIVE SESSION

The executive session portions of these minutes are recorded under the portion of the minutes called "Executive Session".

H. OTHER ISSUES

1. Approval of Sole Source for Sheriff’s Department

County Administrator David Armstrong said the Sheriff’s Department wants to purchase a Computer Voice Stress Analyzer and its training program for \$12,000. David Armstrong said the money is in the budget for the equipment, but the problem is that the declaration of sole source supply comes from the supplier. Supervisor Jessie Medlin asked if any research had been done on the sole source. Dixie Lamb, Assistant Purchasing Clerk, said only what the Sheriff’s Department says.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to hold this item over for the Purchasing Clerk and the Board Attorney to research the purchase of a Computer Voice Stress Analyzer regarding the sole source requirements. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
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ITEM H.1, CONTINUED,

Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

**** See Exhibit H.1 ****

2. McInvale Road and Hwy 304 Intersection

Supervisor Tommy Lewis said the County has sent a Resolution to the Highway Department regarding the McInvale interchange with the I-69 Interstate. Supervisor Lewis said he had spoken with the City of Hernando regarding sending a combined resolution from the County and City with signatures of all the City Aldermen, Mayor, and all the County Board of Supervisors. Supervisor Lewis said the only interchange on the plans is for Odom Road.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve sending a resolution combined with the City of Hernando and DeSoto County Board of Supervisors, with signatures of all Board members, Mayor and all Aldermen to the MDOT requesting an interchange on I-69 at McInvale Road. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSENT
Supervisor Tommy Lewis	YES

3. Tax Sale of Property

Tax Collector Joey Treadway said the DeSoto County Tax Sale would be held on Monday, August 26, 2002, at 9:00 a.m. Mr. Treadway said according to the Attorney General's opinion, we can't set requirements on bids for advertisement, so he has set up a rotation schedule with *The DeSoto County Tribune* (first), *The DeSoto Times Today* (second) and *The DeSoto Appeal* (third). Mr. Treadway said he explained to all the papers that the fee for the advertisement would be a set amount.

4. Marvin Johnson Projects

Architect Marvin Johnson said the new DHS building would have a walk thru on Monday, August 12, 2002.

Marvin Johnson said the Hernando Library Addition would be finished by Christmas 2002.

Marvin Johnson said work would start in two weeks on the 2nd. Floor Renovation of the Administration building for the new District Attorney's office. The contractor has 90 days to complete this project.

Supervisor Jessie Medlin asked when the work would begin on the addition to the Olive Branch Library. Marvin Johnson said it would be three weeks before the plans would be ready to go out for bid. Supervisor Medlin said the parking lot of the library needed some work done and if the County graveled the lot if it wouldn't hurt anything. Marvin Johnson said this would not cause any problems.

ITEM H, CONTINUED,

5. Dog Pound

Supervisor Eugene Thach said he had received a call from Mayor of Southaven, Greg Davis, and he wants more money from the County to handle the Dog Pound. County Administrator David Armstrong said the County is paying a large fee for the use of the pound and if the dogs are sick, we are taking them to Dr. Franklin to be put to sleep. Supervisor Jessie Medlin said the County should look for an alternative pound area to be used. No motions were made on this item.

6. Food Pantry

Supervisor Jessie Medlin said the Board Attorney is working with Peggy Linton, member of the Food Pantry committee, on an agreement between the County and the Olive Branch Food Pantry & Thrift Shop for the lease of the Fairhaven County building. Once the agreement is finalized, it will be presented to the Board for approval.

7. Budget FY03

County Administrator David Armstrong said the Budget FY03 has to be adopted by the Board of Supervisor by September 15, 2002. David Armstrong said there will be a new chart of accounts due to the implementation of GASB 34, and we are working to have this completed to present to the Board by the first September Board Meeting.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until Monday, August 19, 2002, at 9:00 am. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	ABSENT
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

THIS the 7th. day of August 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors